

IN THE UNITED STATES FEDERAL COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

| | | |
|------------------------------|---|-----------------------|
| REGINA BLUNT, |) | |
| |) | |
| Plaintiff, |) | CASE NO. 1:14-CV-40 |
| |) | |
| vs. |) | Judges Mattice/Carter |
| |) | |
| PILGRIM'S PRIDE CORPORATION, |) | JURY DEMAND |
| |) | |
| Defendant. |) | |

RULE 26(f) JOINT DISCOVERY PLAN

In compliance with Rule 26(f) of the *Federal Rules of Civil Procedure*, the parties conferred on April 29, 2014 and submit the following written report outlining their agreed upon discovery plan:

1. The parties will make their disclosures under F.R.C.P. 26(a)(1) no later than May 30, 2014.
2. Discovery will be needed on the issues of liability and damages.
3. The parties may immediately serve interrogatories and requests for production of documents, request for admissions, and other discovery contemplated by Rule 33, 34, 35 and 36, as well as timely supplementation of their Rule 26 disclosures, as required. This Plan does not preclude subsequent service of additional interrogatories and/or requests as warranted by discovery. The parties will respond to such discovery interrogatories and requests in a timely fashion, as provided by the Rules.
4. Factual depositions may begin as provided for in the Rules, with such scheduling to be accomplished by agreement, or if no agreement, by notice.
5. Expert depositions may be taken as provided for in the Rules, with such scheduling to be accomplished by agreement, or if no agreement, by notice.

6. Objections at Depositions.

a. All objections are preserved and need not be made at the time of the deposition, except for objections to the form of the question, which unless seasonably made are deemed waived.

b. An objection to the form of a question shall be made by stating the word “Objection” and may be followed by a brief statement of the legal ground, such as “compound question” – “vague” – ambiguous,” etc. No speaking objections or arguments concerning objections are allowed.

c. To the extent an objection is made that instructs a witness not to answer, the questioner shall have the following option: (i) withdrawing and/or rephrasing the question; or (ii) contacting the Court and requesting a ruling on the instruction not to answer. Should the Court be unable to resolve the dispute during the course of the deposition, or should the parties be unable to contact the Court, counsel posing the question will leave the room, and the witness is to answer the question under seal, so that an answer will be on the record, although the record as to that question and answer will be prepared under seal and to disclosed to anyone unless so ordered by the Court.

7. All discovery, including depositions for evidence, shall be concluded by the date set in the scheduling order.

8. The possibility of settlement is unknown at this time. The parties anticipate that settlement and possible mediation will be addressed after initial discovery is completed.

9. The parties anticipate that the length of trial will be approximately three (3) to four (4) days.

Dated this 29th day of April 2014.

PILGRIM'S PRIDE CORPORATION,
Defendant

By: /s/ Aaron A. Clark
Aaron A. Clark, #20045
McGrath North Mullin & Kratz, PC LLO
First National Tower, Suite 3700
1601 Dodge Street
Omaha, NE 68102
Phone: 402-341-3070
Fax: 402-341-0216
aclark@mcgrathnorth.com

-and-

John P. Konvalinka, BPR No. 1780
Tonya Kennedy Cammon, BPR No. 16213
Grant Konvalinka & Harrison, P.C.
633 Chestnut Street, Suite 900
Chattanooga, TN 37450-0900
Phone: 423-756-8400
Fax: 423-756-6518
jkonvalinka@gkhpc.com
tcammon@gkhpc.com

ATTORNEYS FOR DEFENDANT

REGINA BLUNT, Plaintiff

By: /s/ Jeremy M. Cothorn
Jeremy M. Cothorn, BPR #027166
Berke, Berke & Berke
420 Frazier Avenue
P.O. Box 4747
Chattanooga, TN 37405
Phone: 423-266-5171
Fax: 423-266-5307
jeremy@berkeattys.com

ATTORNEYS FOR PLAINTIFF

All signatories have consented to the filing of this document.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 29th day of April 2014, the above and foregoing **Rule 26(f) Joint Discovery Plan** was filed electronically with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Jeremy M. Cothorn
Berke, Berke & Berke
420 Frazier Avenue
P.O. Box 4747
Chattanooga, TN 37405

/s/ Aaron A. Clark
Aaron A. Clark